

indeed tragic, but he will be remembered as a hero and a patriot.

#### STOLEN VALOR ACT

Mr. CONRAD. Mr. President, I would like to comment today on the Stolen Valor Act of 2005 that was signed into law by President Bush on December 20, 2006. I am extremely proud of authorizing the Senate version of this legislation that ultimately became law. The new law that has resulted from the Stolen Valor Act strengthens and expands the protections for our Armed Forces military service awards and decorations.

Since the Stolen Valor Act was signed into law, there have been reports of concerns raised by medal collectors, historians, museums, family members that inherit medals, and persons legitimately possessing, shipping, or selling military service awards and decorations. I would like to make it clear for the RECORD that the intent and effect of my legislation and the resulting law is only to provide the tools law enforcement need to prosecute those fraudulently using military service awards they did not earn through service to our Armed Forces. It does not in any way restrict legitimate possession, use, shipment, or display of these awards and decorations.

Before the law was enacted, my legislation was reviewed by the Senate Judiciary Committee, the House Judiciary Committee, the Department of Justice, and the Congressional Research Service's American Law Division. All concluded that the Stolen Valor legislation does not negatively impact those legitimately in possession of military service awards and decorations.

Although the new law modifies title 18 USC, section 704, it does not impact the legitimate purchase, sale, or possession of medals. The key part of this passage is the phrase, "except when authorized under regulations made pursuant to law." That exception refers to 32 Code of Federal Regulations (CFR), section 507. I believe the concerns raised by collectors and dealers of military medals and memorabilia may stem from lack of familiarity with the CFR and its relationship to statutory law. The CFR is the regulation that implements and administers statutory provisions, in this case, the provisions of 18 USC section 704 as amended by the Stolen Valor Act.

The CFR specifically states in section 507.12(b), "Mere possession by a person of any of the articles prescribed in Sec. 507.8 of this part is authorized provided that such possession is not used to defraud or misrepresent the identification or status of the individuals concerned." According to numerous legal experts consulted on the drafting of the Stolen Valor legislation, "mere possession" would include family members who inherit medals, museums, collectors, approved medals dealers, historians, and other persons

in possession or selling medals that do not use them for fraudulent purposes. In addition, CFR Sec. 507.8(a) indicates, "the articles listed in paragraphs (a) (1) through (10) of this section are authorized for manufacture and sale when made in accordance with approved specifications, purchase descriptions or drawings."

The articles listed as authorized for manufacture and sale in Sec. 507.8(a) include decorations, service medals, ribbons, lapel buttons, and badges with the exception of the Medal of Honor. The CFR allows for the sale of all U.S. medals, except the Medal of Honor, and insignia, provided that an official government manufacturer has made them and that the Institute of Heraldry, IOH, approved those pieces. Thus, the Stolen Valor Act does not in any way stop collectors or dealers from selling or collecting officially made medals and insignia, whether they were made yesterday or 50 years ago.

In closing, I again want to assure those legitimately in possession of selling, displaying, or shipping military service awards that the Stolen Valor Act is only directed at those who fraudulently use military service awards and decorations. I have been to Walter Reed Hospital, Bethesda Naval Hospital, and have awarded numerous awards and decorations to soldiers and veterans. These brave men and women have given so much to ensure our freedoms. I strongly believe protecting the meaning and valor of military service awards is a very important way we can continue to honor their service and sacrifice.

I ask unanimous consent that a memo from the American Law Division at Congressional Research Service supporting this analysis be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,  
Washington, DC, September 21, 2006.

To: Hon. Kent Conrad; Attention: Shawn Ferguson.

From: John R. Luckey, Legislative Attorney, American Law Division.

Subject: The Stolen Valor Act of 2005.

This memorandum is furnished in response to your request for a review of the impact of enactment of the Stolen Valor Act of 2005 upon collectors of military service medals who are currently acting in compliance with federal regulations. The Bill would amend the federal criminal code expand the prohibition against wearing, manufacturing, or selling military decorations or medals without legal authorization to prohibit purchasing, soliciting, mailing, shipping, importing, exporting, producing blank certificates of receipt for, advertising, trading, bartering, or exchanging such decorations or medals without authorization. It would prohibit falsely representing oneself as having been awarded any decoration or medal authorized by Congress for the Armed Forces or any of the service medals or badges. The penalties for violations, if the offense involves a distinguished service cross, an Air Force Cross, a Navy Cross, a silver star, or a Purple Heart, would be increased.

The current provision of title 18 states:

"SEC. 704. Military medals or decorations  
"(a) IN GENERAL.—Whoever knowingly wears, manufactures, or sells any decoration or medal authorized by Congress for the armed forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations made pursuant to law, shall be fined under this title or imprisoned not more than six months, or both."

The Bill would not affect the exception for acts authorized by regulation. Therefore, it appears accurate to conclude that if the action of the collector was authorized by regulation, the enactment of the Bill would not affect that authorization.

We hope this information is responsive to your request. If we may be of further assistance, please call.

JOHN R. LUCKEY,  
Legislative Attorney.

#### NATIONAL EYE DONOR MONTH

Mr. BROWN. Mr. President, March is National Eye Donor Month, an opportunity to celebrate the gift of sight, to honor past donors and their families, and to raise public awareness regarding the importance of eye donation. We in the Senate can help ensure a sufficient supply of precious corneas by educating the public about the importance of eye donation and encouraging more Americans to become organ donors.

Last year, more than 46,000 Americans had their lives renewed and reinvigorated through the miracle of corneal transplantation. This surgical procedure gives those people who have lost, or are losing, their vision the life-changing gift of restored sight.

For more than 30 years, Teresa Walton, an Ohio resident, lived without depth perception and with the stigma of an altered appearance, because a viral infection stole the vision in her left eye. At the age of 15, while most other children were enjoying high school sports and anxiously awaiting the day they could earn their driver's license, Teresa was unable to recognize when someone approached her from the left, nor could she easily navigate a set of stairs.

Finally, in her forties, Teresa decided it was time for a transplant. Because of the transplant she received in Springfield, OH, the vision in Teresa's left eye was restored. With the return of her depth perception, Teresa can now easily light the candles on her three daughters' birthday cakes. She is no longer self-conscious about the appearance of her left eye. And as a teacher, she can now recognize when one of her students is standing next to her.

Through the tireless efforts of the eye banks located throughout the country, and the coordinated efforts of the Eye Bank Association of America, Teresa Walton and thousands upon thousands of Americans like her have rediscovered the many joys full vision affords.

The power of cornea transplantation is evident in Teresa's story, but it is

only possible if concerned Americans register as an organ donor and, subsequently, inform their family members and loved ones of their intention to donate.

That is why, as National Eye Donation Month approaches, I encourage my colleagues to work with their local eye banks, and the Eye Bank Association of America, to promote eye donation and provide more people, like Teresa Walton, with the miracle cornea transplantation provides. There is no gift more meaningful, or more profoundly important, than the gift of sight.

#### TRIBUTE TO W. DON NELSON

Mr. NELSON of Nebraska. Mr. President, I rise today to express my best wishes and appreciation to a staff member who is leaving my office after many years of public service.

W. Don Nelson has served with distinction as my State director in Lincoln, NE, since I was elected in 2000, which is no small job in a State that stretches 500 miles.

Although we share the same last name, we do not share a family relationship. We do share a passion for public service. W. Don, as he is known throughout Nebraska, has a long history of bipartisan government service at the highest levels.

Mr. Nelson worked for former Congressman Douglas Bereuter when he was director of the Nebraska State Office of Planning and Programming. He also served as a chief policy adviser for former Nebraska Governors Norbert Tiemann, Jim Exon, and former Wyoming Governor Ed Herschler and was chief of staff for Nebraska Governor Bob Kerrey. Before Don became my State director he was in the private sector serving as managing director for the Nebraska office of a major national securities firm.

To say that W. Don Nelson was an important and vital part of the staff for those of us whom he served is an understatement. His background as a lawyer and investment banker made him invaluable in government service but his abilities stretched far beyond that.

W. Don Nelson is one of the most fiercely loyal and completely trustworthy individuals I have ever had the privilege to know. His intellect and depth of knowledge on virtually any issue is uncanny. He has the courage to confront adversaries at the highest levels and the compassion to help those who are less fortunate. He is a gracious host and gentleman to friends, and a devoted father and husband to a loving family.

W. Don may be retiring but not to a rocking chair. The W. Don Nelson that so many Nebraskans know will never sit back and rest on his laurels. His so-called retirement will be in front of a computer screen and stalking the halls of government buildings visiting with elected and appointed officials from the other side of the desk, as a reporter.

After answering questions from reporters for much of his career, he will be asking the questions. He is crossing over to start his own newspaper, called *Prairie Fire*, in Lincoln, NE. Its objective is to be the progressive voice of the Great Plains offering thoughtful, bipartisan public discourse about all matters relating to politics and the arts and, I imagine, Don's passion, the environment.

All of us will miss Don, his quirky sense of humor, his vintage neckties, his sports cars, and even his outward display of pride in Cornhusker Country for his alma maters, the University of Florida and Florida State University.

We wish him every success in his new role as editor, publisher, and writer.

#### ADDITIONAL STATEMENTS

##### BIG SKY HIGH SCHOOL SCIENCE PROGRAM RECOGNITION

• Mr. BAUCUS. Mr. President, I am honored to speak to you today about the wonderful work being done in a school in my home State—Big Sky High School in Missoula, MT. Big Sky High School is a leader in science education and a wonderful example of how creativity and innovation can prepare students for the 21st century.

To the students, teachers, parents, and administrators at Big Sky High School, I commend you for your dedication and imagination. Big Sky High School should be an example to schools all over the country of what we can do if we make a real commitment to teaching our students the skills necessary to keep America competitive in the global economy.

Big Sky's science programs emphasize real-world applications and collaboration. For example, in the elective "Advanced Problems in Science," students work on research projects and learn how to document their results and present them to the community. Many of these projects are featured in science fairs and other competitions, giving students experience and connecting them to the scientific community.

Science teacher Jim Harkins, who has taught at Big Sky for 24 years, is an example of how a great teacher can inspire students to go into the sciences. Let me tell you about Jim's goals for science class in his own words. "I try to tell the students that the classroom, text book setting is not real science," he said. "Science is not learned in books while sitting at desks. In this class, Advanced Problems in Science, our goal is to simulate their curiosity in a real-life science setting. This program provides Montana students with competitiveness on national and international levels."

To see the success of this program, you need to look no further than the students themselves. Big Sky alumnus Jayce Getz was an active participant in these science programs and he was re-

cently honored with one of only 30 mathematical sciences postdoctoral research fellowships from the National Science Foundation. Jayce will begin a professorship at Princeton next fall. Jayce attributes some of his current success to his participation in Big Sky's science program. "Kids in Missoula, Montana, can and do get involved with important research in the sciences," he said. "The trick is to get started early on."

Yet at Big Sky, kids do start early. The halls are filled with the future scientific leaders of America. Students study the genetic code of a cyanobacterial strain and test sail designs in wind tunnels by using an innovative interdisciplinary approach.

By nurturing the curiosity and creativity of these students, Big Sky teachers like Jim Harkins ensure America's youth are given the education and tools necessary to succeed in the 21st century. I applaud Jim and his students. They are examples of what makes Montana's school system the best in the Nation.

To Mr. Harkins and students of Big Sky High School, I extend my congratulations.●

##### RETIREMENT OF RICK SHAPIRO

• Mr. BINGAMAN. Mr. President, today I wish to honor Rick Shapiro, who recently retired as executive director of the Congressional Management Foundation.

I became acquainted with Rick early in my Senate career, when I asked Rick to help me and my staff strengthen the management of my Senate office. That began a very useful relationship with Rick and CMF.

Under his leadership, CMF grew in size, scope, and impact. Rick has made CMF an integral part of the early organization of nearly every new House and Senate office, through CMF's practical publications and its role in new office orientations.

For many offices like mine, Rick used his skills in organizational management to help members and their senior staff improve how they run their offices and serve their constituents. His confidential counsel and evaluation, and that of a strong staff that he recruited and supported, has allowed many Senators and Members of Congress to focus on their jobs as legislators, with the confidence that their offices would be well run.

Rick also used his extensive knowledge of strategic planning to ensure offices have a strategic vision and the means to deliver on that vision. He and his staff have facilitated hundreds of staff retreats, helping House and Senate offices produce ambitious, but realistic, plans for their work.

Rick was the driving force behind CMF's research into cutting edge topics. For example, CMF's research and guidance on the Internet and electronic communications has been the single most important force in bringing many